

# Valley Center Community Planning Group

Minutes for the November 14, 2011 Meeting

Chairman: Oliver Smith; Vice Chairman: Ann Quinley; Secretary: Steve Hutchison

7:00 pm at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent/Abstain A/I=Agenda Item BOS=Board of Supervisors DPLU=Department of Planning and Land Use IAW=In Accordance With N=Nay  
P=Present R=Recuse SC=Subcommittee TBD=To Be Determined VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members: 21 November 2011

Approved: 12 December 2011

**1.**

**Call to Order and Roll Call by Seat #:**

**07:10 PM**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
A N D E R S O N	H U T C H I S O N	H O F L E R	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W N O S O O D N	S M I T H	J A C K S O N	R U D O L F	D A V I S	B A C H M A N
P	P	P	P	P	P	P	P	P	P	A	P	P	P	P

**Notes:** Britsch arrives 7.36 pm; Smith excused

**Quorum Established: 14 present**

**Pledge of Allegiance**

**2.**

**Approval of Minutes: October 17, 2011**

**Motion:** Move to approve Minutes of October 17, 2011, as corrected

**Maker/Second:** Lewis/Jackson

**Carries/Fails (Y-N-A):**11-0-1 Voice – Norwood-Johnson/Glavinic abstain

**3.**

**Open Forum:**

Quinley announces that Chairman Oliver Smith accidentally broke his leg while on a recent trip to Egypt. He will be incapacitated for at least 3 weeks.

Rudolf gives news regarding the Heritage Trail. Complaints about condition of trail and failure of the landscape contractor and its bonding company to perform heard at past VCCPG meetings are being addressed. Locally-owned Powerland has been engaged by the County to make landscaping repairs, remove weeds and replace plantings. They are doing great job and the roadway appearance is much improved.

Glavinic reports on Agenda 21 seminar he attended. He wondered where so many ideas for the General Plan Update came from. He described a United Nations document called Agenda 21 that is the likely source for many ideas now in the GPU.

**4.**

**Discussion Items**

**4.a.**

**Comments from Lou Wolfsheimer on sale of Rancho Lilac property.**

L. Wolfsheimer notes that he has been attending VCCPG meetings for 31 years. He was chairman of the planning commission in San Diego for 10 years. He was on the SD Port Authority board for 10 years. CalTrans approached Wolfsheimer about buying Lilac Ranch. For many years he thought he was going to build a great planned residential community on the Lilac Ranch. But now, he came to say thanks to the planning group for all the hours spent reviewing projects that were proposed. He doesn't have a notion of what CalTrans plans for the 908 acres other than to keep it in its present state. It's up to CalTrans to determine the future of the ranch. It may end up in a conservancy. He appreciates the efforts made by several on VCCPG. Rudolf adds that he has already begun a conversation with CalTrans on the future of the ranch. The trails originally planned as part of the residential development, may yet be included in the future of the ranch.

**4.b.**

**Report on the sale of Rancho Lilac property to Caltrans to serve as mitigation land. (Jackson)**

	<p>Mark Jackson called CalTrans' Bruce April, project manager for this project, and was informed that on 17 October 2011, CalTrans closed on 902 acres [908 acres according to Wolfsheimer] in multiple parcels that were owned by the Irving Solomon trust and managed by Louis Wolfsheimer on behalf of the heirs. The Rancho Lilac SPA had included about ten non-Wolfsheimer parcels on the western end - the tail going up Running Creek Road from the Lilac Ranch property to West Lilac, which are not a part of this mitigation deal. These other parcels were piggybacking on this SPA. A rather large parcel at the top of Running Creek, contiguous with West Lilac is owned by Empire Land, who was the project developer. So, "Lilac Ranch," its new name (originally the Rancho Lilac SPA), is one big 900+ acre Specific Plan within a Specific Plan Area along with the other ten parcels that probably total less than 80 acres for the other two owners of the Lilac Ranch. According to April, the top-level guiding principles for current and future use of the ranch under state ownership are biological and ecological conservation as a mitigation for State Route 76 widening from Melrose Ave. to I-15. At the same time the top-level constraints for current and future use of the Rancho Lilac property under state ownership are preservation of biological and archeological resources and maintenance of the historic Lilac Ranch structures. A new Assembly Bill, AB 436, authored by Christine Kehoe, will likely be law in January 2012 and defines a process and time table for transfer of these state lands to a private, non-profit endowment. Since CalTrans is not in the property management business, it is looking for an organization, preferably with state-wide or regional reach, for management of the property. April will contact Jackson for VCCPG and will likely request a vote or letter of support for the eventual private endowment selection.</p> <p>Glavinic asks about road 3b future. No definitive information is available presently to determine road 3b's future.</p>
<b>4.c.</b>	<p><b>Update on draft Equine Ordinance (Davis)</b></p> <p>Davis presents an update on the ordinance. Karl Steel is leading the ordinance effort. The main features of the draft ordinance [to be vetted publicly over the next 12-18 months] are definitions and animal regulations. Presently, property owners have no limit on the number of horses allowed, provided requirements for sanitation and animal health are met. Residents cannot board others' horses commercially. The draft proposal is a tiered ordinance. Tier one - 10 horses per acre up to 50 horses on 5 acres with a zoning verification permit; Tier 2 - 10 horses per acre from more than 50 horses on 5 acres to a maximum of 100 horses on 10 acres with an administrative permit; Tier 3 - more than 100 horses or more than 10 acres with a major use permit. Ordinance would require 10' setbacks from property line for stabling.</p> <p>Nothing in the draft ordinance presently addresses horse shows. One issue is the number of square feet under one roof permitted- proponents want more than 3000 sq. ft., but County pushed back citing building codes. However, it was pointed out that a resident may have non-contiguous smaller roofs in any amount. This draft ordinance would ultimately allow commercial use into residential areas. Davis is concerned about commercial use in residential areas. Vick asks how horse density numbers came about. Hofler wants an exemption for personal use of one horse. Davis clarifies that these restrictions apply to commercial use. Vick asks about density. Hofler responds that 10 horses per acre would require exercise areas and other features to maintain health and fitness. Slope is not considered when determining horse density. Glavinic asks about a horse census. Davis says that horse density is self-reported. Code compliance will handle complaints. Rudolf suggests establishing a subcommittee to help Davis. Some suggest a subcommittee does exist but with few members. Quinley suggests revisiting the composition of the Equine SC. Rudolf doesn't want the ordinance to be formulated only by commercial users. Quinley will add discussion of SC membership and mission to next month's agenda.</p>
<b>5.</b>	<b>Action Items:</b>
<b>5.a.</b>	<b>Sol Orchard, 3300-11-027 (P11-027); project is located at 15155 Vesper Rd. The project proponent is seeking approval for the development and operation of a photovoltaic solar farm, which would produce 7.5 megawatts from a 54-acre parcel. Contact person: Patrick Brown, 858-694-3011.</b>

(Hofler)

**Discussion:** Hofler presents. Describes solar objectives from state and county perspective: Describes need for local generation of electricity. Hofler describes three types of system technology and says that these systems are permitted just about anywhere. State and County want systems close to substations for technical reasons. State and County want systems screened from neighbors. Hofler notes the DPLU restrictions on such systems based on size include the location, size, design, and operating characteristics of the proposed use be compatible with adjacent uses, residents, buildings, or structures with consideration given to the following: harmony in scale, bulk, coverage, and density; the availability of public facilities, services, and utilities; the harmful effect, if any, upon desirable neighborhood character; the generation of traffic and the capacity and physical character of surrounding streets; the suitability of the site for the type and intensity of use or development which is proposed; and to any other relevant impact of the proposed use; consistency with the General Plan; and, compliance with the California Environmental Quality Act . She notes that the 7-ft. fence requirement is at odds with Valley Center design guidelines. The Design Review Board [DRB] will allow a 6-ft. chain-link fence if it is screened by the applicant. At areas where the neighbors are near the fence, Hofler suggests asking that the fence is made higher for additional screening. The Trails Assn. wants to create a trail around the perimeter of the facility. The applicants' submitted preliminary plan shows no screening, but a subsequent map does show screening, but not in all areas. Hofler asks if there is a better location for the proposed system? Does it meet zoning ordinance requirements? Jackson says property is SR-4 under the General Plan Update and will stay SR-4 even if system is approved and built. Zoning won't change since after decommissioning, land could be again used for agriculture or housing.

Proponent Steve Wragg presents. Patrick Brown, project manager for Department of Land Use and Planning, is present. Site is 55-acres between Vesper Rd. and Valley Center [VC] Rd. Site currently has fallow orange grove [largely dead]. Wragg says he will correct current code violations before construction. The main access to site is off of Vesper Rd. The existing house will remain. The proposed panels will be arranged in north/south rows and will rotate from east to west following the sun. There will be a community trail along the west side of the property from Vesper to Valley Center Rd. A 6-ft. chain-link fence topped with barbed wire [7' total] will be constructed around perimeter of site. DRB comments resulted in a preliminary landscape plan. The applicants will maintain 3 rows of the existing orange trees on north side of site along Vesper Rd. Quinley asks about the location of the perimeter fence. Wragg responds that on the north, it will be behind the screening orange trees, and that there will be no vines or plants on the fence itself. The active orchard along the west side of the site will not be screened. There will be vines/plants on southwest and eastern portions of fence. Wragg says the applicants will comply with DRB guidelines for VC Rd. He adds that there will be trees and shrubs along other portions of the west side of the site. Will Pritchard [proponent] suggests DRB objections to the landscape plan come after the plan was formulated. He says the objections will be addressed. Davis asks about the condition of the existing orange trees that are to be used for screening [on the north side]. Wragg responds that applicants will replace any dead trees and irrigate the live trees, filling in spaces that may be present with new plantings. Davis asks about the barbed wire on the fence. Wragg/Pritchard respond it is for security. Davis questions the security of the unmanned site that will be provided by the proposed fence. Wragg replies that some lights will be installed at the entrance and that there will be maintenance people working at the site routinely. Lawrence Dealson, resident on west side of the site, speaks disparagingly about the view from his house over the proposed system. Dealson thinks the system will destroy property values of the surrounding neighbors. Mark Kennedy, a contractor and friend of Dealson, questions the efficacy of the proposed 6-ft. chain-link fence, given that the fence will be only around the PV panels and not near Dealson's home. This plus the fact that the proposed trail will skirt the perimeter along the property line will be conducive to crime. Bachman asks about the current property ownership. Pritchard responds that it is in escrow. Bachman asks if the County requires ownership before a project can advance. Brown responds that ownership is not required. Tom Baumgardner, resident, asks about income from the project. He asks if tax credits will be used. Wragg responds that tax credits will be used. Baumgardner asks if undergrounding will be used. Pritchard responds it will not be done off property. Baumgardner asks about other solar projects Wragg and Pritchard have completed. Wragg responds that his organization has completed two other 1-megawatt projects, but none as large as the proposed project. Baumgardner asks about the possibility of dirt mounds around the project with a 4-ft. fence on top. He thinks the proposed design will look like a prison. He says the community will not benefit financially. Vick says the property is zoned SR-4 and the proposed project would create an industrial use. Hofler says that per the state and county, it is not an

industrial use by definition. Vick objects to the incompatible use and the damage to property values. Hofler counters that the proposed site is surrounded by commercial agricultural uses. There are 14 similar projects in the County and all are near residential properties. Vick thinks property values of neighbors will tank. P. Brown says that the County isn't a proponent of this particular project per se, but does recognize the need for local power generation. The County has no issues with this project. He adds that developers are taking advantage of state incentives. Rudolf asks if there is a scoping letter that expresses any County concerns. He suggests that the proponents are not really addressing the VCCPG tonight, but are working with the County. Will Pritchard disputes that statement. Pritchard says DRB comments are not presently addressed, but that the applicants will accept DRB comments to move the project forward. Pritchard doesn't want a full perimeter trail as proposed by the VC Trails Assn., but will allow a trail along the west side of the site. Rudolf asks about a fire road that could be used as a trail around the perimeter of the site. Pritchard says applicants have considered that, but they are not prepared to dedicate a perimeter trail to the County. Rudolf says the perimeter trail would be temporary pending resolution of the future alignment of Valley Center Rd. and its adjoining trail as noted in the comments from the VC Trails Assn. A discussion of fences on the west side of the site commences. Wragg/Pritchard understand the importance of the trail from Vesper to VC Rd. and agree that it must be addressed. But, they don't understand the need for the perimeter trail.

Davis, addressing screening issue on west side of site, says that a pathway this long along an unmanned facility, if treated with high walls, as suggested, would cause crime. Davis adds that a double fence along the fire road [required by applicant if used as a perimeter trail] would block access to the fire department, its intended user. Hofler says the route of the perimeter trail would be a 24-ft. roadway shared with the trail. She asks again why the system is to be located at this site. Is there a better spot to put this? Pritchard says that everywhere they looked the large acreages are surrounded by mixed uses. Hofler talked to the site's neighbors and asked if they had plans to sell for residential development, but they said no, they are in it for the long haul. Bachman asks about the need for proximity to the substation. Pritchard responds that the wire size is best for local distribution of power if the system is near the substation. Rudolf asks again about the scoping letter and whether the county can clarify its concerns. Brown says the County has no concerns other than visual screening. He then spoke to trails and other comments already made. He thinks the present screening plan is adequate but understands that future development of adjacent properties may require more screening on the west side. Hutchison asks proponents and Brown if there is any way to know how many other such systems could be built in Valley Center if this one is approved. Wragg responds that the VC Substation is rated at 28 megawatts and no other project like this is possible. But Bachman says upgrades could add to the capacity. Glavinic says VCCPG ignores the fact that DRB is improperly constituted and that VCCPG should not consider its recommendations. Glavinic continues about his concern for spot zoning to allow this industrial use. He thinks such an industrial use should be in an industrial area where power will be most used. He speaks to hazardous waste that would be generated by project. He speaks to wasted power leading to battery storage and hazardous waste from batteries. He is concerned about later expansion of approved site facilities. He speaks to danger of secluded trail. He thinks it is not a good fit with community. Hofler says site is A-70 not residential and 0.5 mi from substation. Brown says zoning will remain A-70 but density will change. Hofler says only 2 neighbors object to project. Franck is surprised neighbors don't object. He thinks residents at higher elevations may object. Hofler says she spoke to many neighbors at a meeting that was noticed in the Roadrunner newspaper. Davis and Anderson want to vote on motion. Pritchard says distant views will be a non-issue. He says it will look like a body of water from a distance.

Vick would rather consider a 10-acre project than 54-acre project. Vick says he is a strong supporter of solar energy, and has solar on his house, he does not believe that the project being proposed is in the right place in Valley Center. He says this project is proposing to place an industrial use in a semi-rural SR-4 area. Based on DPLU's own restrictions, as presented by Dr. Hofler, Vick says the proposed 40+ acre system is not compatible with adjacent uses, residents, buildings or structures. It is not in harmony or in scale and will have a harmful effect on neighborhood character, and, since it is a short distance from what is planned to be the heart of Valley Center, the site is not suitable for the type and intensity of use proposed. Lewis asks if it is possible to make this project smaller and be profitable. Pritchard says 10-acres won't work as an alternative. Davis suggests BOS will approve this and we need to preserve input to this project.

**Motion:** To approve with conditions: 1. Compliance with DRB Specific recommendations and Conditions as detailed in the DRB Minutes of Oct. 11, 2011 (copy distributed). This is especially relevant for the screening,

and not relying on the neighbors to provide screening. The fencing should have no concertina/barbed wire 2. Provide dedication for a trail/pathway per the Master Trails Map for San Diego County and Valley Center along the west side. 3. Fix the berms on the west side of the property (near V.C. Road) so that the neighbor's property does not flood when it rains.]

**Maker/Second:** Hofler/Davis

**Carries/Fails (Y-N-A): 6-8-0**

A N D E R S O N	H U T C H I S O N	H O F L E R	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W N O S O O D N	S M I T H	J A C K S O N	R U D O L F	D A V I S	B A C H M A N
N	N	Y	N	Y	N	Y	N	N	N	A	Y	Y	Y	N

**Notes:**

**5.b.**

**Wooten, AD Permit for Solar, 300-11-032, project is located on the North side of Cool Valley Road between Cole Grade and Wilhite Lane; Owner: Kenneth and Violetta Wooten; development and operation of a concentrated photo voltaic solar farm on 9.83 acres; Contact: Steve Wragg , RBF Consulting at 858-614-5059 (Hofler)**

**Discussion:** Zack Beaujovani[?] Same developer as in previous item suggests giving overview. Steve Wragg presents. Project site is 22 acres at Cool Valley Rd. and Cole Grade Rd. The site is left over from another development to the north. This project will use individual posts with circular panels tracking in two axes [north/south & east/west]. The site will have a fire lane and fire buffer zone. Cool Valley Rd. is elevated above the site. There will be several inverter pads. It will be a 2.7megawatt system. The applicants have revised visual simulations of the site. Applicants are planning visual barriers of Toyon and other "trees" . The system will use 18-ft. tall panel structures. Applicants will plant additional oaks to mitigate removal of some oaks from the site. The site is to be contained by fencing with vines and concertina/barbed wire on top. Hofler says neighbors are fatalistic about the inevitability of the project, so did not attend tonight. She says neighbors think a 6-ft. fence won't be adequate to screen the system from view. The installation may interfere with the adjacent wildlife corridor. The site is surrounded by residential uses, not agriculture as in the previous application. There is presently no decommissioning plan but it will be a condition of approval. The site is not near the closest substation at Vesper Rd. and will not affect power distribution even with the approval of the other project on Vesper. Bachman asks about screening vegetation selections. Hutchison adds that suggested plantings will not provide screening as proposed. Vick objects to removing older oak trees and trying to mitigate. Rudolf agrees with Vick about sensitivity to loss of oaks. Asks why the 6 trees will be removed. Wragg says they will be shading panels. Davis asks about location in flood plain and asks why applicants don't look for land in the industrial zone. He suggests looking for other manufacturing land for project. Dorothy Kennedy, resident, questions the loss of live oaks along Cool Valley Rd. Rudolf questions the size of the project and wonders about possible later expansion if approved. Zack responds that expansion would not be possible because of existing easements and other concerns. Hofler suggests first project was on unexceptional land. Not so for this project. She says this project impacts important wildlife transit corridor. She suggests that there are many other more appropriate sites. She says that the proposed installation is not appropriate for this site. Rudolf notes time [9.57 pm] and suggests continuance.

**Motion: Move to extend meeting beyond 10.00 pm to complete this item.**

**Maker/Second:** Rudolf/Bachman

**Carries/Fails (Y-N-A): 14-0-0 Voice**

**Motion:** Move to continue to December Meeting

**Maker/Second:** Rudolf/Bachman

**Carries/Fails (Y-N-A): 14-0-0 Voice**

**5.c.**

**Discussion and possible vote on Community Evacuation Route that consists of one lane portion of Valley Center Road leading into Escondido. Consider strategies for widening that segment or using traffic cones to allow egress. (Davis)**

**Discussion:** Continued to December meeting

**5.d.**

**Nickels Packing, Administrative Permit; Project number 3000-11-029 (AD 11-029) located at 29811 Miller Road near Quail Hollow Lane, Project involves the building of metal buildings for the packing and processing of citrus grown on the property; contact person is Paul Smith, IMEZ, LLC 760-751-3532 (DPLU planner is Kevin Johnston at 858-3084. (Anderson)**

**Discussion:** Withdrawn by County

5.e.	Matz Commercial Bldg Site Plan “B” Designator, REPLACEMENT plan; 3500-10-013 (STP10-13). Plans for a Commercial Building at 8719 Old Castle Road, Escondido, CA; Project Contact Person is James Scott Fleming 619 743-5770. David Sibbet is DPLU planner at 858-694-3901 (Vic)	
Discussion: Continued to December meeting		
5.f.	Discussion and vote on disbanding the Lilac Ranch Subcommittee. (Quinley)	
Discussion: No significant discussion on this item following announcement of sale of Lilac Ranch to CalTrans		
Motion: Move to disband Lilac Ranch Subcommittee		
Maker/Second: Hofler/Davis		Carries/Fails (Y-N-A): 14-0-0 Voice
6.	Subcommittee Reports & Business:	
a)	Mobility – Robert Davis, Chair.	
b)	GP Update – Richard Rudolf, Chair.	
c)	Nominations – Hans Britsch, Chair.	
d)	Northern Village – Ann Quinley, Chair.	
e)	Parks & Recreation – Brian Bachman, Chair.	
f)	Rancho Lilac – Ann Quinley, Chair. - inactive	
g)	Southern Village – Jon Vick, Chair.	
h)	Spanish Trails/Segal Ranch – Mark Jackson, Chair. - inactive	
i)	Tribal Liaison – Larry Glavinic, Chair	
j)	Website – Robert Davis, Chair	
k)	Pauma Ranch – Christine Lewis, Co-Chair; LaVonne Norwood-Johnson, Co-Chair.	
l)	I-15/395 Master Planned Community [Accretive] – Steve Hutchison, Chair	
m)	Equine Ordinance - Smith, Chair	
7.	Correspondence Received for September 12, 2011 Agenda:	
a)	DPLU to VCCPG, 3300-11-027; P11-027 Sol Orchard (replacement documents with a modified project check list) Project Address: 15155 Vesper Rd at Almona Way; The project proponent is seeking approval for the development and operation of a photovoltaic solar farm which would produce 7.5 megawatts from a 54 acre parcel. (DPLU Planner: Mark Slovick 858-495-5172 (Hofler)	
b)	DPLU to VCCPG; 3500-11-013- (STP11-013); Johnson Site Plan “B” Designator: Project is located at 28357 Cole Grade Road; the project is 3.25 acres in size and zoned M54. There is a single family dwelling on site (non-conforming use) which will remain. There have been alternations to the home without benefit of a building permit. There are 6 other buildings on site which will be for storage. All were originally constructed as residential accessory buildings so it will be necessary to alter them to meet industrial occupancies. The project will bring the residence up to code for residential occupancy and the other buildings up to code for industrial occupancy. Contact person is James Chagala 760-751-2691 (DPLU planner: Kevin Johnston 858-694-3084 (Norwood-Johnson)	
c)	DPLU to VCCPG; SD0634 Superior Hollow; 3200-11-008; P11-008; (replacement) Owner's name: James and Victoria Emanuel, Project Address 12746 Superior Hollow Road at Anthony Road; Project Contact Person, Karen Adler, agent for AT&T Mobility, 760-751-3416; AT&T proposes to construct, operate and maintain an unmanned, digital mobile radio communication facility at the site. Installation includes CMU construction block equipment shelter, 12 AT&T antennas, and 12 TMA units among other items. (Glavinic)	
d)	Mr. and Mrs. John Glassell to VCCPG, Letter written in protest of the installation of the Solar Power Project at 15155 Vesper Road in Valley Center. Request that the proposed project be denied.	
e)	DPLU to VCCPG; Notice of a Draft Environmental Impact Report and General Plan Amendment; POD10-007; Log No, 09-00-003; SCH No. 2010091030 Wind Energy Zoning Ordinance and General Plan Amendment. Amendment would modify the text of the Borrego Springs Community to plan to provide an updated set of definitions, procedures and standards for review and permitting of wind turbines and meteorological testing facilities.	
8.	Motion to Adjourn:	10.04 pm
	Maker/Second: Smith/Quinley	Carries/Fails (Y-N-A): 11-0-0 Voice
Note: Next regular meeting scheduled for 12 December 2011		